



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

August 15, 2023

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, District I
Mr. Matthew Durham, Chairman, District II
Mr. Don Mize, Vice Chairman, District III
Mr. Julian Davis III, District IV
Mr. Glenn Hart, Chairman Pro Tem, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [Mr. Davis Absent], County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal, Dick Mangrum / 101.7 WGOG

Call to Order

Mr. Durham called the meeting to order at 6:00 p.m.

Moment of Silence

Mr. Durham asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mr. Raul Cruz led the Pledge of Allegiance to the Flag of the United States of America.

Mr. Durham made a motion, seconded by Mr. Elliott, approved 4 – 0, to approve amending the agenda to postpone the reading of **Proclamation 2023-05** until the family of Mr. Bailes can be in attendance to accept.

Approval of Minutes

Mr. Hart made a motion, seconded by Mr. Elliott, approved 4 - 0, to approve the July 18, 2023 regular meeting minutes as presented.

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Proclamations

~~PROCLAMATION 2023-05 A PROCLAMATION HONORING MR. ELBERT LAMAR BAILES, JR.~~

Presentation to Council

Christ Central Ministries Oconee - OARS Update – Mr. Ashley Williams / Director

Mr. Ashley Williams, Director of Christ Central Ministries Oconee, addressed Council utilizing a power point presentation entitled, “Christ Central Ministries Oconee and Oconee Addiction Recovery and Solutions Program 2023 Year Update”, and provided details regarding the services they provide, along with highlighting the success of the program.

Members of Council extended their thanks to Mr. Williams and Christ Central Ministries for the services they provide to the community.

Attorney’s Comments

Mr. Root provided background information and an overview of the document revisions related to **Ordinance 2023-15** and **Resolution 2023-13**.

Mr. Jamie Gilbert, Director of Oconee Economic Alliance, provided further details to Council regarding the revisions that have been made to the above referenced documents that involve Oconee County and Meyn America, LLC.

Administrator’s Comments

None at this meeting.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

1. Mr. David Dial addressed Council with his concerns related to the Town Hall Invite that was extended to all members of Council.
2. Mr. Chuck Pinion addressed Council with his opinion that the Oconee County Building Codes Department is understaffed and underpaid.
3. Mr. Art Petit addressed Council in opposition to the ban on billboards in Oconee County and noted he believes this ban should be rescinded.

Mr. Durham, Council Chair, offered a reminder that Council member comments will follow the public comment session.

4. Mr. Tony Adams offered his compliments to Council and County staff regarding Budget Amendment **Ordinance 2023-16**.
5. Mr. Roger Norwood addressed Council regarding the topics of free speech, FY2023-2024 budget and **Ordinance 2023-13**.
6. Mr. Luke Moore addressed Council with his concerns related to the Town Hall Invitation to Council, **Ordinance 2023-13** and the lack of email response from Council.

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Mr. Root outlined the legal procedures that would need to be followed if three or more members of Council accept the Town Hall Invitation.

7. Mr. Kris Childress extended an invitation to Council to attend the Keowee Fire Department 30th Anniversary Celebration to be held on Sunday, October 15, 2023 at 2 p.m.

Mr. Durham read into the record a public comment that was sent via email from Ms. Nanette Alexander related to local organized petitions.

Council Members Comments

Mr. Hart addressed Mr. Petit's concerns related to billboards in Oconee County and stated he supports doing away with this ordinance and would like this topic placed on the September 5, 2023 Council agenda.

Mr. Durham asked Mr. Root if he was contacted by the Republican Party related to the Town Hall Invite.

Mr. Root noted that he is not aware of the members of the Republican Party and that his only correspondence was with Ms. Brock, Mr. Durham and Council as a whole related to this matter.

Mr. Durham addressed Mr. Pinion related to his concerns with the Oconee County Building Codes Department.

Ms. Brock added additional comments related to Mr. Pinion's concerns with the lack of adequate staff in the Building Codes department.

Mr. Durham and Mr. Root addressed Mr. Petit's concerns related to the ordinance that outlines restrictions related to billboards in Oconee County.

As instructed by Mr. Durham, Ms. Brock offered details related to the process of obtaining general obligation bonds.

Third Reading of the Following Ordinances

None for this meeting.

Second Reading of the Following Ordinances

ORDINANCE 2023-13 AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TAX-EXEMPT OR TAXABLE, IN AN AMOUNT NOT TO EXCEED \$25,000,000 FOR THE PURPOSE OF DESIGNING, ACQUIRING, CONSTRUCTING, INSTALLING, EQUIPPING, OR REHABILITATING VARIOUS CAPITAL PROJECTS, INCLUDING WASTEWATER IMPROVEMENTS AND RELATED EQUIPMENT; AUTHORIZING THE COUNTY ADMINISTRATOR TO PRESCRIBE THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS OF THE BONDS; PROVIDING FOR BORROWING IN ANTICIPATION OF THE ISSUANCE OF THE BONDS; AND OTHER RELATED MATTERS.

Mr. Hart made a motion, seconded by Mr. Mize, approved 4 – 0, to approve **Ordinance 2023-13** on second reading.

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First Reading of the Following Ordinances

ORDINANCE 2023-14 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF ADDENDA TO THE LEASE AGREEMENTS BETWEEN OCONEE COUNTY AND (1) THE FOOTHILLS FARMSTEAD (“FARMSTEAD”) AND (2) THE FAIR-OAK YOUTH CENTER, INC. (“FOYC”), IN ORDER TO EFFECT THE TRANSFER OF CERTAIN PROPERTY FROM THE FOYC LEASE PREMISES TO THE FARMSTEAD LEASE PREMISES; AND OTHER MATTERS RELATED THERETO.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 4 – 0, to approve **Ordinance 2023-14** on first reading.

ORDINANCE 2023-15 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO PURCHASE AND SALE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA, AND MEYN AMERICA, LLC; AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Mize, approved 4 – 0, to approve **Ordinance 2023-15** on first reading.

ORDINANCE 2023-16 AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2023-01, WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, AND FOR THE CREATION OF THE EMERGENCY SERVICES CAPITAL VEHICLE / EQUIPMENT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, IN ORDER TO EFFECT A SUPPLEMENTAL APPROPRIATION; AND OTHER MATTERS RELATED THERETO.

Mr. Elliott made a motion, seconded by Mr. Hart, to approve **Ordinance 2023-16** on first reading.

Mr. Durham expressed to staff his appreciation for all the hard work that went into preparing the FY2023-2024 budget.

Motion approved 4 – 0.

First and Final Reading for the Following Resolutions

RESOLUTION 2023-12 A RESOLUTION CONSENTING TO THE ASSIGNMENT AND ASSUMPTION OF A FEE AGREEMENT BY AND AMONG EPOCH CLEMSON, LLC, EPOCH CLEMSON ST, LLC, 8110 JACOBS RD GROUND OWNER LLC AND OCONEE COUNTY,

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SOUTH CAROLINA; AND OTHER RELATED MATTERS.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 4 – 0, to approve **Resolution 2023-12** on first and final reading.

RESOLUTION 2023-13 A RESOLUTION AUTHORIZING THE EXECUTION AND APPROVAL OF A LICENSE AND INDEMNIFICATION AGREEMENT BY AND BETWEEN OCONEE COUNTY AND MEYN AMERICA, LLC, ALLOWING MEYN AMERICA, LLC ACCESS TO CERTAIN REAL PROPERTY IN THE OCONEE INDUSTRY AND TECHNOLOGY PARK TO PERFORM CERTAIN WORK; AND OTHER RELATED MATTERS.

Mr. Mize made a motion, seconded by Mr. Elliott, to approve **Resolution 2023-13** on first and final reading.

Mr. Elliott welcomed Meyn America to Oconee County.

Motion approved 4 – 0.

Ms. Brock offered a note of correction to the title of **Ordinance 2023-16** as it is stated on the agenda, noting the actual ordinance wording is correct.

Discussion Regarding Action Items

Discuss and provide opinion on request to name an unnamed tributary of the Tugaloo River as "Cherokee Creek" for federal use, as forwarded by the U.S. Bureau of Geographic Names at the request of the Cherokee Creek Boys School.

Mr. Hart offered details as to the location of this portion of the Tugaloo River.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 4 – 0, to support the requested name change and forward a notification of Council support on to the U.S. Bureau of Geographic Names.

**PO 55251, LS3P Associates Phase 2
Alexander-Cannon-Hill House
Renovation, Change Order # 1**

Department(s): Oconee PRT – High Falls

Amount: Original Purchase Order: \$28,800.00

Phase 2 (Change Order # 1): \$67,500.00

Total: \$96,300.00

Procurement was approved by Council in Fiscal Year 2022-2023 & 2023-2024 budget process.

Budget \$96,300.00

Project Cost: \$ 96,300.00

Balance: \$0.00

(Funding from Local ATAX Fund \$28,800.00 FY 2022-2023 & Parks, Recreation & Tourism Capital Project Fund \$67,500.00 FY 2023-2024)

Pleasant Alexander built the Alexander-Cannon-Hill (ACH) House in 1831. In 1971, Duke Power gave the house to High Falls County Park. On July 24, 1972, the ACH House was added to the National Register of Historic Places and retains much of the original construction. Currently, the first floor is being used as office

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space / gift shop and the second floor has only been used for storage. Park Staff wants to utilize the second floor of the house to include office space, conference room, bathroom, etc. Procurement and Park Staff began creating specifications for an electrical upgrade. During a visit to the site, structural issues were found that require correcting before any renovations could be started. With this being a structure from 1831 and being listed on the National Register of Historic Places, staff decided it was in the best interest of the County and the Structure to have a firm that is well versed in this type of project to assist with the renovation.

On January 18, 2023, staff contracted with LS3P Associates, LTD., On-Call Architectural Consultant Firm (RFP 20-02), to assist with the Renovation Project.

Procurement issued Purchase Order Number 55251 to LS3P Associates, LTD., in the amount of \$28,800.00 for Phase 1 – Preliminary Design and Schematic Design Phase for the Alexander-Cannon-Hill House at High Falls County Park.

This Change Order request is for Phase 2 of the Alexander-Cannon-Hill House Renovation. This Phase includes Design Development, Construction Documents, Negotiations and Construction Observation.

Staff requests approval for Change Order #1 to PO 55251 for Architectural Services, in the amount of \$67,500.00; which is an addition to the original scope of work. If approved, the new total for the purchase order is \$96,300.00.

It is the staff's recommendation that Council:

- 1. Approve Change Order # 1 to PO 55251, for project Phase 2, in the amount of \$67,500.00 for a total purchase order amount of \$96,300.00.***
- 2. Authorize the County Administrator to execute documents for change order #1, PO 55251 (Phase 2).***

Mr. Elliott made a motion, seconded by Mr. Hart, to approve Change Order # 1 to PO 55251, for project Phase 2, in the amount of \$67,500.00 for a total purchase order amount of \$96,300.00 and authorize the County Administrator to execute documents for change order #1, PO 55251 (Phase 2).

Mr. Hart expressed his concerns related to the cost associated with the above request.

Mr. Steven Schutt, Project Manager, addressed the concerns of Mr. Hart and provided Council with background information related to the above request.

Mr. Schutt then provided the historical significance of the Alexander-Cannon-Hill House to Council as requested by Mr. Mize.

Mr. Durham made a motion, seconded by Mr. Hart, to postpone the above request until further review and site visits by Council are complete.

Mr. Hart inquired if additional construction costs were going to be requested after the architectural services are complete.

Mr. Schutt informed Council that the renovations on the Alexander-Cannon-Hill House would be completed by an outside source due to the historical nature of the construction.

Motion to postpone the approval of Change Order # 1 to PO 55251, for project Phase 2, in the amount of \$67,500.00 for a total purchase order amount of \$96,300.00 and authorize the County Administrator to execute documents for change order #1, PO 55251 (Phase 2) approved 4 – 0.

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Maintenance Building for Chau Ram County Park
Amount: \$364,259.27

Department: PRT

Contingency (10%): \$ 36,425.93

Total Amount: \$400,685.20

Procurement was approved by Council in Fiscal Year 2023-2024 budget process.

Budget: \$ 400,685.20 Project Cost: \$ 400,685.20 Balance: \$ 0.00

(Funding for this project is from Parks, Recreation & Tourism Capital Project Fund)

This request is for the purchase, installation and construction of a new turnkey maintenance building at Chau Ram County Park. Chau Ram currently houses their large equipment outside, contributing to additional maintenance issues and a shorter life span. The new maintenance building will also provide space for bulk purchasing, proper OSHA compliance as well as a staff workspace, currently not available.

The turnkey shelter project includes: a post frame building with metal siding, three (3) 12'x12 bay doors, two (2) exterior walk thru doors, spray foam insulation, HVAC system, plumbing and concrete, any site preparations that will be required, permits, electrical, concrete, and installation. The Oconee Roads and Bridges department completed the site work for the project.

The County is utilizing the H-GAC (Houston-Galveston Area Council of Governments) contract through a cooperative purchasing agreement. H-GAC cooperative purchasing allows government agencies to purchase directly from the manufacturer or authorized dealers. H-GAC contracts are bid and awarded on a national level and purchases may be fulfilled by the manufacturer and / or authorized local or state dealers.

Cedar Forest Products, LLC was awarded an HGAC contract under contract number PR11-20A08.

It is the staff's recommendation that Council:

- 1. Award the purchase and construction of the maintenance building for Chau Ram County Park to Cedar Forest Products, LLC., located in West Olive, MI, in the amount of \$364,259.27 plus 10% contingency in the amount of \$36,425.93, for a total award of \$400,685.20.***
- 2. Authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount.***
- 3. Approve waiving the County Permit and Plan Review fees for this project.***

Mr. Elliott made a motion, seconded by Mr. Durham, to (1) approve awarding the purchase and construction of the maintenance building for Chau Ram County Park to Cedar Forest Products, LLC., located in West Olive, MI, in the amount of \$364,259.27 plus 10% contingency in the amount of \$36,425.93, for a total award of \$400,685.20, (2) authorize the County Administrator to execute documents for this project and sign any change orders within the contingency amount and (3) approve waiving the County Permit and Plan Review fees for this project.

Mr. Hart and Mr. Durham expressed their concerns related to the cost associated with the above request.

Mr. Schutt and Ms. Tronda Popham, Procurement Director, provided Council with details related to the cost, construction and bid process associated with the request for a maintenance building for Chau Ram Park.

Short discussion between Council, Mr. Schutt and Ms. Popham followed.

Motion failed 1 – 3 [Mr. Durham, Mr. Mize and Mr. Hart opposed].

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RFP 2 3-03 Electronic Monitoring Services
Department(s): Sheriff's Office / Detention Center

There is no dollar amount associated with this approval. When offender monitoring is required, by court order, the offender representative is required to pay any upfront and monthly fees.

Request for Proposals, RFP 23-03, for Electronic Monitoring Services. The Sheriff's Office and Detention Center requested firms to provide Full Service Electronic Monitoring (EM) for court-ordered individuals and management of the accompanying equipment. The Awarded Company will:

1. Provide and install all equipment and accessories required, to include, but not limited to, transmitters, base stations, receivers, tracking devices, recorders and bracelets.
2. Provide service(s) in full, between the subject to be monitored and the company themselves as directed by the Court.
3. Install and remove monitoring devices seven (7) days per week. Installation will be within 1.5 hours of sentencing or court order, providing the inmate is in compliance.
4. Maintain the equipment as necessary so monitoring is not interrupted.
5. Provide bi-weekly, standard reports, including list of names and violations of offenders being monitored.
6. Submit violation reports within 24hrs from the time of the violation.
7. Collect all fees associated with the Court Ordered monitoring.

RFP 23-03 was issued on June 12, 2023, and eighteen (18) Companies downloaded the solicitation, four (4) proposals were received. An Evaluation Committee consisting of County Staff, reviewed and scored the proposals and recommended the award to DCT Detection, LLC of Seneca, SC.

It is the staff's recommendation that Council approve:

1. *Approve the award of RFP 23-03 for Electronic Monitoring Services to DCT Detection, LLC of Seneca, SC.*
2. *Authorize the County Administrator to execute the contract documents and to renew this contract for up to four (4) one-year renewals, providing the services provided are satisfactory.*

Mr. Hart made a motion, seconded by Mr. Elliott, approved 4 – 0, to approve the award of RFP 23-03 for Electronic Monitoring Services to DCT Detection, LLC of Seneca, SC and authorize the County Administrator to execute the contract documents and to renew this contract for up to four (4) one-year renewals, providing the services provided are satisfactory.

Request for Council's approval to commit matching funds, not to exceed \$18,382.00 toward the Federal Aviation Administration (FAA) Grant Offer for the Airport Improvement Program (AIP) Taxiway Pavement Rehabilitation (Design/Bid) Project No. 3-45-0016-035-2023 and the Airport Bipartisan Law (BIL) / Airport Infrastructure Grant (AIG) Project No. 3-45-0016-036-2023 and to authorize the County Administrator to accept and execute the corresponding FAA Grant Offers.

The total amount for the Taxiway Pavement Rehabilitation (Design/Bid) Project will be \$367,639.00. The FAA offers and agrees to pay ninety (90) percent of the allowable costs incurred accomplishing this Project, up to \$330,875.00. Oconee County's matching share is five (5) percent of the costs for the Taxiway Pavement Rehabilitation (Design/Bid) Project, or approximately \$18,382.00. The South Carolina Aeronautics Commission (SCAC) will also match \$18,382.00 for the remaining five (5) percent.

- On February 1, 2022, Council approved the award of RFP 21-08 for Professional Engineer and Consulting Services for the Oconee County Airport to W.K. Dickson & Company, Inc., of Columbia

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SC for a five-year term for services, as need.

- On May 5, 2023, Oconee County submitted a Taxiway Pavement Rehabilitation (Design/Bid) Project Application to the Federal Aviation Administration (FAA) for funding consideration under the Airport Improvement Program (AIP) and the Airport Bipartisan Law (BIL) / Airport Infrastructure Grant (AIG) programs.
- On July 31, 2023, Oconee County received Federal Aviation Administration (FAA) Grant Offer under the Airport Improvement Program Grant (AIP) Project No. 3-45-0016-035-2023 and the Airport Bipartisan Law (BIL) / Airport Infrastructure Grant (AIG) Project No. 3-45-0016-036-2023 for the Taxiway Pavement Rehabilitation (Design/Bid) Project.

The Oconee County Airport now wishes to accept the Federal Aviation Administration Airport Improvement Grant Project No. 3-45-0016-035-2023 and Airport Infrastructure Grant Project No. 3-45-0016-036-2023 for the Taxiway Pavement Rehabilitation (Design/Bid) Project.

Timely acceptance of these Grants are crucial of ensuring the Taxiway Pavement Rehabilitation Project begins as soon as practical as the offer must be accepted and submitted to the Federal Aviation Administration no later than August 25, 2023.

It is the staff's recommendation that Council authorize County Administrator Amanda Brock to accept and execute the Federal Aviation Administration Airport Improvement Program Grant Offer Project No. 3-45-0016-035-2023 and the Airport Infrastructure Grant Offer Project No. 3-45-0016-036-2023 for the Taxiway Pavement Rehabilitation (Design/Bid) Project and commit \$18,382.00 in matching funds.

Mr. Elliott made a motion, seconded by Mr. Mize, to authorize County Administrator Amanda Brock to accept and execute the Federal Aviation Administration Airport Improvement Program Grant Offer Project No. 3-45-0016-035-2023 and the Airport Infrastructure Grant Offer Project No. 3-45-0016-036-2023 for the Taxiway Pavement Rehabilitation (Design/Bid) Project and commit \$18,382.00 in matching funds.

Mr. Hart inquired if this request qualified for a public hearing.

Ms. Brock informed Council that a public notice will be posted on the County website.

Mr. Root noted that if this was a taxiway relocation or new construction, then a public hearing would be required.

Motion approved 4 – 0.

Council Committee Reports

Law Enforcement, Public Safety, Health and Welfare / Mr. Mize July 18, 2023

Mr. Mize provided information outlining discussions held at the July 18, 2023 Law Enforcement, Public Safety, Health and Welfare Committee meeting.

Mr. Root informed Council that the Junkyard Ordinance would come back before the Law Enforcement, Public Safety, Health and Welfare Committee with the recommendation from the Planning Commission that no further action be taken with this proposed ordinance.

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Board & Commission Appointments

Agricultural Advisory Board

District IV: No questionnaires on file for this seat

Mr. Durham noted there are no questionnaires on file for the District IV vacant seat on the Agricultural Advisory Board.

Executive Session:

Mr. Hart made a motion, seconded by Mr. Elliott, approved 4 – 0, to enter into Executive Sessions for the following purposes, as allowed for § 30-4-70(a) of the South Carolina Code of Laws:

1. *Receive legal advice and discuss resolution of King v. Oconee County, et al.*
2. *Discussion regarding an Economic Development matter, Utica Mill Project.*
3. *Council discussion regarding a contractual matter related to the Town of Salem, City of Seneca, City of Walhalla and the City of Westminster.*

Council entered into Executive Session at 7:51 p.m.

Council returned from Executive Session at 8:47 p.m. on a motion made by Mr. Elliott, seconded by Mr. Hart, approved 4 – 0.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 4 – 0, to approve a settlement in the amount of \$10,000.00 related to the matter of King v. Oconee County.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 8:48 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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